THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.21995 of 2006

DATED 06.11.2006

Between:

Smt.B.Durga Shashikala and another. … PETITIONERS

Versus

The Commissioner, Rajahmandry Municipal Corporation, Rajahmandry, East Godavari District. … RESPONDENTS

WRIT PETITION NO.21995 of 2006

ORDER:

Heard the learned counsel on record.

2. The learned counsel for the petitioners' states that without following due process of law, the demolition activity cannot be carried out. Sri Vishnuvardhan Reddy, learned Standing Counsel representing Rajahmandry Municipal Corporation also states that even if the action would be initiated, the respondent-Corporation should follow the procedure contemplated under the provisions of Hyderabad Municipal Corporation Act.

3. The Writ Petition is filed for a Writ of Mandamus declaring the proposed impugned action of the respondent in trying to proceed with the demolition of the house building of the petitioners bearing door No.10-4-12, Rangreezepet, near Kotagummam Down, Rajahmandry, East Godavari District as illegal, arbitrary and violative of principles of natural justice and for a consequential order directing the respondent and his subordinates not to demolish the above house building of the petitioners except due process of law and pass such other suitable orders.

4. Several factual details had been narrated in paragraphs 3 to 10

of the affidavit filed in support of the Writ Petition.

5. It is needless to say that whenever demolition activity to be proceeded with, the respondent-Corporation is bound to follow due process of law.

6. In view of the same, the Writ Petition is disposed of directing the respondent-Corporation not to proceed with any demolition activity in relation to the subject matter of the Writ Petition unless and until the respondent-Corporation follows due process of law. There shall be no order as to costs.

06.11.2006

SSR
Issue order copy by wire at party's costs.

(BO)